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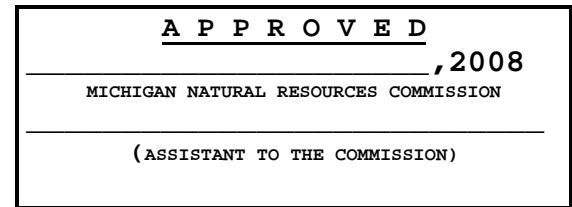
DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES
DIRECTOR

SUBMITTED: May 1, 2008
RESUBMITTED: May 12, 2008



MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Buck Hunting Regulations for the Upper Peninsula
Wildlife Conservation Order Amendment No. 10 of 2008

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, authorizes the Director and the Commission to issue orders to manage wild animals in this state.

Discussion and Background:

This amendment establishes antlered deer regulations in the Upper Peninsula which differ from antlered deer regulations in the Lower Peninsula.

Most hunters desire to harvest a large antlered deer (buck) during the season. It is commonly accepted that an older buck develops larger antlers with more antler points than a young buck. The desire of deer hunters to restrict the harvest of young bucks, so that the deer can survive longer and produce larger antlers has increased in recent years. Different methods exist to distinguish older bucks from younger bucks, but most of these methods are based upon antler characteristics. Selective buck harvest based upon the number of antler points is referred to as Antler Point Restriction (APR). Of the different methods advocated to distinguish older bucks, requiring a minimum number of APR points is the easiest for a hunter afield to implement.

A proposed regulation change was presented to the Natural Resources Commission (NRC) under which a buck harvested with a combination license would be required to meet minimum antler points to be legal. Specifically, in order to be legally tagged with a regular combination deer license this proposal would require a deer to possess at least one antler with three antler points, at least one inch in length. The current regulation for a restricted combination license requiring an antlered deer to possess at least one antler with at least four antler points, at least one inch in length would remain. As part of this proposal, deer hunters choosing to purchase a firearm deer license and a bow and arrow deer license would be limited to harvesting one antlered deer; however that deer would not be subject to any APR, the current definition of a legal buck (at least one antler three inches in length) would remain.

NATURAL RESOURCES COMMISSION
Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • Darnell Earley • John Madigan • J. R. Richardson • Frank Wheatlake

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Statute authorizes the Natural Resources Commission, if advisable in managing deer, to issue an order under Part 401, designating the kind of deer that may be taken and the geographic area in which any deer license issued is valid. Under that authority this amendment would establish the proposed regulation in only the Upper Peninsula.

Recommendation:

This order was submitted for information on May 8, 2008 at the Natural Resources Commission Meeting. This item appeared on the Department's May 1, 2008 calendar and may be eligible for approval on June 5, 2008.

Douglas A. Reeves, Acting Chief
Wildlife Division

Ronald A. Olson, Chief
Parks and Recreation Division

Lynne M. Boyd, Chief
Forest, Mineral and Fire Management Division

Patricia A. Spitzley, Chief
Office of Legal Services

Rodney Stokes, Acting Chief
Law Enforcement Division

Arminda S. Koch
Resource Management Deputy

Dennis Fedewa
Chief Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Natural Resources Commission has authority.

Rebecca A. Humphries
Director

WILDLIFE CONSERVATION ORDER

Amendment No. 10 of 2008

Under the authority of sections 40107 and 40113a, Act No. 451 of the Public Acts of 1994, as amended, being sections 324.40107 and 324.40113a of the Michigan Compiled Laws, the Natural Resources Commission and the Director of the Department of Natural Resources orders that, effective June 6, 2008, the following sections of the Wildlife Conservation Order shall read as follows:

3.101 Deer hunting open seasons; type of deer that may be taken; carrying of firearms; season limit.

Sec. 3.101. (1) The open firearm deer season shall be from November 15 to November 30.

(2) The open muzzle-loading and black-powder firearms only deer season in zone 1 shall be a total of 10 days from the first Friday in December to nine days thereafter. The open muzzle-loading and black-powder firearms only deer season in zone 2 shall be a total of 10 days from the second Friday in December to nine days thereafter. The open muzzle-loading and black-powder firearms only deer season in zone 3 shall be a total of 17 days from the first Friday in December to 16 days thereafter.

(3) Subject to section 43510, subsections (2) and (3), of Part 435, as amended, hunting and fishing licensing, MCL 324.43510, a person hunting deer with a muzzleloading firearm during the muzzle-loading and black-powder firearms only season shall only possess or carry afield, or take a deer with a muzzle-loading rifle, muzzle-loading shotgun, or black-powder pistol, loaded with black-powder or a commercially manufactured black-powder substitute.

(4) The open bow and arrow only season shall be from October 1 through November 14 and from December 1 through January 1.

(5) Subject to section 43510, subsections (2) and (3), of Part 435, as amended, hunting and fishing licensing, MCL 324.43510, during the open bow and arrow only season, a person hunting deer with a bow and arrow shall not possess or carry afield a pistol, revolver, or any other firearm unless the person is properly licensed to hunt deer with a firearm and is hunting in an area open to firearm deer hunting.

(6) The late antlerless firearm deer season shall be from the first Monday following the third Saturday in December through January 1 upon privately owned lands within Alcona, Allegan, Alpena, Barry, Branch, Calhoun, Cass, Clinton, Crawford, Eaton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Ionia, Jackson, Kalamazoo, Kent, Lapeer, Lenawee, Livingston, Montcalm, Montmorency, Oakland, Oscoda, Otsego, Ottawa, Presque Isle, St. Joseph, Sanilac, Shiawassee, Tuscola, Van Buren, and Washtenaw counties. Only a person possessing a valid antlerless deer license issued for the deer management unit in which they are hunting may take a deer during these seasons.

(7) The deer management assistance firearm hunt period shall be from the first Monday following the third Saturday in December through January 1 upon lands owned by federal, state, county, or local units of government, non-profit organizations, and other urban or suburban properties-in zone 3. Only those areas with a wildlife division approved deer population management plan will be considered for issuance of these special deer management assistance permits. Only a person possessing a valid deer management assistance permit issued for this hunt period may take a deer with a firearm during this season.

(8) The season limit shall be 1 deer per firearm deer license, 1 deer per bow and arrow deer license, 1 deer per tag issued with a combination deer license, plus 1 deer per antlerless deer license.

(9) Except as provided by sections 3.101a, 3.101c and 3.101d, the kind of deer which may be taken during the respective open seasons for each combination of season and deer license type shall be as follows:

<u>Type of license</u>	<u>Season in which used</u>	<u>Kind of deer that may be taken</u>
Bow and arrow deer license	Bow and arrow only seasons	Antlerless or antlered deer, except if a person takes 2 antlered deer all seasons combined, one of the antlered deer must have at least 1 antler with 4 or more antler points 1 or more inches in length
Firearm deer license	Firearm deer season, muzzle-loading and black-powder firearms only season	Antlered deer, except if a person takes 2 antlered deer all seasons combined, one of the antlered deer must have at least 1 antler with 4 or more antler points 1 or more inches in length
	Youth and 100% disabled veteran firearm deer hunting days	Antlerless or antlered deer
Combination deer license – Regular	Bow and arrow only seasons	Antlerless or antlered deer
	Firearm deer season or muzzle-loading and black-powder firearms only season	Antlered deer
	Youth and 100% disabled veteran firearm deer hunting days	Antlerless or antlered deer
Combination deer license – Restricted	Bow and arrow only seasons	Antlerless deer or a deer which has at least 1 antler with 4 or more antler points 1 or more inches in length
	Firearm deer season or muzzle-loading and black-powder firearms only season	A deer which has at least 1 antler with 4 or more antler points 1 or more inches in length
	Youth and 100% disabled veteran firearm deer hunting days	Antlerless deer or a deer which has at least 1 antler with 4 or more antler points 1 or more inches in length

(10) The early antlerless firearm deer season shall be a 5 day hunt starting on the third Thursday in September upon privately owned lands within Alcona, Alpena, Iosco, Montmorency, Oscoda, and Presque Isle counties and upon privately owned lands within zone 3. Only a person possessing a valid private land antlerless deer license issued for the deer management unit in which they are hunting may take a deer during this season.

3.101a Deer hunting in zone 1 season limit and antler restriction

Sec. 3.101a.

(1) Notwithstanding any other provisions of this order a person purchasing a firearm deer license and a bow and arrow deer license shall not take more than one antlered deer in zone 1.

(2) Notwithstanding any other provisions of this order a person possessing a regular combination deer license shall not take an antlered deer unless the deer has at least 1 antler with 3 or more antler points each 1 or more inches in length in zone 1.

(3) A person possessing a restricted combination deer license shall not take an antlered deer unless the deer has at least 1 antler with 4 or more antler points each 1 or more inches in length.

Issued this 5th day of June, 2008.

Approved as to matters over which the Natural Resources Commission has authority.

Keith J. Charters, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.

Rebecca A. Humphries
Director